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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.3526 OF 2007

Karnataka Lingayat Education
Society (Karnataka Linguistic
Minority Institute) & Ors. ..Petitioners

Versus

The State of Mahararashtra & Ors..Respondents

Mr. N.V. Bandiwadekar, for the Petitioners
Mr. A.A. Kumbhakoni, Associate Advocate General
for the respondent

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 3RD MAY 2007

P.C.

. According to the petitioners they have been granted permission by N.C.T.E. to open three educational institutions. Once of the requirement is that the admission to the Collge can be made only after receiving the unconditional order of recognition of N.C.T.E.It is the case of the petitioners that they have received the said permission. Apart from N.C.T.E. permission the petitioners were also to take permission from the respondent No.3 to whom they have made applications in January, 2007. Those applications are yet to be decided. Even before that it appears that the petitioners have started Colleges.

2. The petitioners have now approached this Court as respondent No.5 has issued a notice dated 5th April, 2007 directing the petitioners to close down the unauthorised D.Ed. colleges at Akkalkot and Solapur.

. In our opinion it will not be possible to grant the relief as prayed for. Institutions cannot take permission for granted and start educational institutions without due permission and then approach this Court to get protection. We are, therefore, not inclined to grant the relief as prayed for.

3. If, however, the petitioners applications for permission are pending before respondent No.3 the respondent No.3 to consider the same and dispose them of not later than 31st May, 2007. With the above observations, petition disposed of.

(**F.I.REBELLO**, J)

(**R.M. SAVANT,J)**